



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**  
James Baumgardner *et al.*

**Application No.:** 10/071,434

Group Art Unit: 3737

**Filed:** 02/08/2002

Examiner: To be Assigned

**Title:** Quantitative Pulmonary Imaging

Assistant Commissioner for Patents  
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, mailed March 1, 2002, response to which has been extended to September 1, 2002 by the Petition for Extension of Time filed concurrently, Applicants submit the attached executed Declaration, executed Powers of Attorney (5) and a check in the amount of \$825.00 to cover the surcharge fee of \$65.00, the extension of time fee (four months) of \$720.00, and the assignment recordation fee of \$40.00.

If there are any further fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0979.

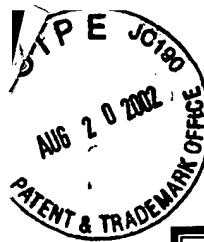
Respectfully submitted,

*Evelyn H. McConathy*  
Evelyn H. McConathy  
Registration No. 35,279

Date: August 20, 2002

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Please type a plus sign (+) inside this box →

M.M

Aug/02

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB/21 (08-00)

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		<b>Application Number</b> 10/071,434
		<b>Filing Date</b> 02/08/2002
		<b>First Named Inventor</b> James Baumgardner
		<b>Group Art Unit</b> 3737
		<b>Examiner Name</b> To be Assigned
Total Number of Pages in This Submission		Attorney Docket Number 22253-70649 (N2377)

<b>ENCLOSURES (check all that apply)</b>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) – Figs. <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> copy of Notice to File Missing Parts; EXECUTED Declaration; EXECUTED Powers of Attorney (5); EXECUTED Assignment; check for \$825.00
<b>Remarks:</b>		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual Name	Evelyn H. McConathy, Reg. No. 35,279	
Signature		
Date	August 20, 2002	

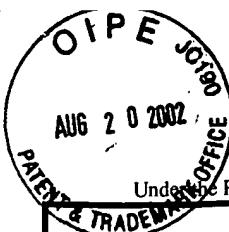
<b>CERTIFICATE OF EXPRESS MAILING</b>		
I hereby certify that this correspondence is being deposited with the United States Postal Service with Express Mail Label No. EL929340265US, addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231 on this date: August 20, 2002.		
Typed or printed name	Michelle D. Sebastian	
Signature		Date: August 20, 2002

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EL929340265US

MPJ

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number



## FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$825.00)

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  Other  None

Deposit Account:

Deposit Account Number 50-0979Deposit Account Name Dilworth Paxson LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee required under 37 CFR 1.16 and 1.17  
 Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	\$
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)				\$	

#### 2. EXTRA CLAIMS FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	*	-20**	= 0 X *	= \$ _____
Independent Claims	*	- 3**	= 0 X *	= \$ _____
Multiple Independent			+ 135	= \$ _____

Large Fee Code	Entity (\$)	Small Fee Code	Entity Fee Code	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	270	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				\$ _____

\*\*or number previously paid, if greater; For Reissue, see above

SUBMITTED BY CUSTOMER NO. 27730

Complete (if applicable)

Name (Print/Type)	Evelyn H. McConathy	Registration No. (Attorney/Agent)	35,279	Telephone	(215) 575-7000
Signature	<i>Evelyn H. McConathy</i>			Date	August 20, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/071,434	02/08/2002	James Baumgardner	22253-70649



CONFIRMATION NO. 2826  
FORMALITIES LETTER



\*OC000000007567108\*

Date Mailed: 03/01/2002

DILWORTH PAXSON LLP  
1735 Market Street  
Philadelphia, PA 19103

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE